

**CHAPTER 4
GENERAL PENALTY**

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1-4-1 GENERAL PENALTY

Any person convicted of a violation of any section or provision of this Village Code, where no other penalty is set forth, shall be punished by a fine not to exceed \$500.00 for any one offense unless a lesser penalty is provided by Statute.

1-4-2 APPLICATION

The penalty provided in this Chapter 4 shall be applicable to every section of this Village Code, the same as though it were a part of each and every separate section. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Village Code.

In all cases where the same offense is made punishable or is created by different clauses or sections of this Village Code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

1-4-3 SETTLEMENT OF OFFENSES *Amended, 23-24-1017, 12-13-888, 12-13-874, 03-04-713, 486*

- A. Payments: Any of the following described offenses arising under the ordinances of the Village may be settled and compromised by the offender in the following manner:

OFFENSE	SECTION	FINE*
Alcohol, purchase/acceptance	8-4-8-A	\$250/500
Alcohol, consumption, under 21 years of age	8-4-8-B	\$250/500
Alcohol, consumption on streets/public places	8-4-8-E	\$250/500
Alcohol, gatherings where one or more persons are under 21	8-4-9-A	\$250/500
Alcohol, licensee violating closing hours	3-2-21	\$250/500
Assault	8-4-6	\$250/500
Battery, bodily harm	8-4-5.1	\$250/500
Battery, physical contact of an insulting or provoking nature	8-4-5.2	\$250/500
Bicycle, no lights	9-3-3	\$50
Burning, first offense	7-4-6	\$100

OFFENSE	SECTION	FINE*
Burning, second and subsequent offense	7-4-6	\$250
Burning garbage	7-5-6-E	\$100/250
Criminal damage to property	8-4-15	\$250/500
Curfew, less than 17 years of age	8-4-4	\$75/150
Disorderly conduct	8-4-1	\$250/500
Dog, bite, first offense (Section 7.01 of Article XVII)	8-2-5	\$100
Dog, bite, second offense (Section 7.01 of Article XVII)	8-2-5	\$150
Dog, bite, subsequent offense (Section 7.01 of Article XVII)	8-2-5	\$200
Dog at large, first offense (Section 6.01 of Article XVII)	8-2-2	\$100
Dog at large, second offense (Section 6.01 of Article XVII)	8-2-2	\$150
Dog at large, subsequent offense (Section 6.01 of Article XVII)	8-2-2	\$200
Dog, barking (Section 6.11 of Article XVII)	8-2-2	\$100/250
Drugs, possession of cannabis (up to 10 grams)	8-4-12	\$250/500
Drugs, paraphernalia (per offense)	8-4-11	\$150
Fireworks	8-4-7-B	\$150/250
Littering	7-5-6	\$150/250
No parking	9-2-1	\$50
No parking (winter violation)	9-2-5-B	\$25/50
No seat belt fastened	9-15-2	\$25
Obstructing or resisting an officer	8-4-16	\$250/500
Public nudity	7-3-4-D	\$300/500
Public nuisance affecting peace/safety (loud noise)	7-1-5-F	\$150/250
Seizure and impoundment of motor vehicles	9-1-6	\$500
Solicitation	3-3-16	\$100/750
No smoking, person	8-4-13	\$100/250
No smoking, owner or operator allowing, first offense	8-4-13	\$250
No smoking, owner or operator allowing, second offense	8-4-13	\$500
No smoking, owner or operator allowing, subsequent offense	8-4-13	\$750
Theft, retail, first offense	8-4-14	\$250
Theft, retail, second or subsequent offense	8-4-14	\$500/750
Tobacco, possession/use under 18 years old, first offense	8-4-3-B	\$100
Tobacco, possession/use under 18 years old, subsequent offense	8-4-3-B	\$250
Tobacco, providing to minor, first offense	8-4-3-D	\$150
Tobacco, providing to minor, subsequent offense	8-4-3-D	\$250
Traffic offense not otherwise listed	9-15-2	\$75
Trespassing	8-4-10	\$250/500
Weapons, carrying concealed weapon	8-4-2-A	\$250/500
Weapons, possession of dangerous/deadly weapon	8-4-2-B	\$250/500
* Where there are two figures listed in the fine column, the first figure is the minimum fine for the first offense and the second figure is the minimum fine for a second and subsequent offense.		

- B. Payments. Any of the following described offenses arising under the ordinances of the Village may be settled and compromised by the offender in the following manner: settlement payment when made within seven days of the time a notice is delivered to the

offender as listed in Column A; settlement payment when made after the due date but before the final notice date as listed in Column B:

Offense	Section	Column A (in dollars)	Column B (in dollars)
Animal, noises; prohibited; unlicensed; running at large	Title 8, Chapter 2	25.00	50.00
Bicycles	9-3-3	25.00	50.00
Building Code violations	Title 4	25.00	50.00
Burning	7-4-1	25.00	50.00
Business registration	Title 3, Chapter 14	25.00	50.00
Closing hours, liquor licensee	3-2-21	50.00	100.00
Discharge of firearms, air rifles	8-4-2	50.00	100.00
Fireworks	8-4-8	25.00	50.00
High grass, weeds	7-1-4	25.00	50.00
Junk storage	7-1-3	25.00	50.00
License, failure to obtain	Title 3; Chapters 1, 3, 4	25.00	50.00
Littering	7-5-6	50.00	100.00
Liquor, purchase and acceptance	3-2-25, 8-4-10	100.00	200.00
Liquor, sale to persons under 21	3-2-25, 8-4-11	100.00	200.00
Nuisances Affecting Peace and Safety	7-1-5	25.00	50.00
Traffic: Stopping, Standing, Parking	Title 9, Chapter 2	25.00	50.00
Tobacco, first offense	8-4-3	25.00	50.00
Tobacco, second and subsequent offenses	8-4-3	50.00	100.00
Trespassing	6-4-12	25.00	50.00
Waterworks, sewerage system	Title 6A	50.00	100.00

- C. Settlements: Settlement payments shall be made to the Village Police Department, who shall provide the alleged offender with a receipt in the amount of such payment.
- D. Disposition of Payments: The amounts paid to the Village Police Department in settlement of the foregoing claims shall be promptly deposited by the Village Police Department with the Village Clerk. Upon receipt by the Village Treasurer the amounts shall be credited to the General Fund.
- E. Prosecution: The Village shall refrain from prosecuting any alleged offender of the foregoing offenses after receipt of such settlement payment.

1-4-4 COLLECTION 96-97-587

In the event any fee, including, but not limited to those relating to retained personnel, fines, penalties, repair, abatement, restitution and reimbursement, found in any section of this Code that is due the Village and is not paid, the cost of collecting said fee shall be added to the fee. Collection costs shall include, but not be limited to, prosecution and attorney fees.

1-4-5 ATTORNEYS' FEES AND COURT COSTS 12-13-878

The Village shall be entitled to recover its attorneys' fees and court costs incurred in the prosecution of any violation of this Code.

1-4-6 MUNICIPAL BOND FEES 11-12-867

The Village hereby imposes a fee up to \$20 for bail processing against any person arrested for violating a bailable municipal ordinance or a state or federal law.